



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Eighth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Mountain House Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Mountain House Loan." ("Mountain House Loan") [DE 8554] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Mountain House Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8554] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Mountain House Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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18 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Mountain House
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Mountain House Business Park Loan
10725-01043	12/11/2006	Ulm, Robert W IRA	Pensco Trust Co Inc Fbo 414 Morning Glory Rd St Marys, GA 31558	Contingent/ Unliquidated	75,000.00
10725-02123	12/11/2006	Universal Management Inc A Nevada Corp	8080 Harborview Rd Blaine, WA 98230	1,438,118.00	84,000.00
10725-00379	12/11/2006	William & Waltruud Schneider Family Tr	135 Clearview Drive Carson City, NV 89701-6698	250,000.00	200,000.00
10725-02278	12/11/2006	Winkler, Rudolf IRA	10000 Rosbury PL Los Angeles, CA 90064-4826	651,800.22	50,000.00
10725-01283	12/11/2006	X Factor Inc	C/O Scott D Fleming Esq Hale Lane Peek Den. & How. 3930 Howard Hughes Pk Las Vegas, NV 89169	Unknown	Unknown
10728-00076	12/11/2006	Younge, Richard L IRA	6131 Sw Luradel St Portland, OR 97219-5737	150,000.00	50,000.00
10725-01952	12/11/2006	Zerbo, Anthony J	780 Saratoga Ave Apt S-107 San Jose, CA 95129	1,757,710.50	100,000.00
10725-02028	12/11/2006	Zerbo, Marshall R	20775 Saint Joan Court Saratoga, CA 95070-3004	301,259.30	50,000.00

EXHIBIT A

2409553.1